

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
SEPTEMBER 21, 2009**

**COMMISSIONERS PRESENT:**

Tony Dennis, Chairman  
Gene McIntyre, Vice Chairman  
Lindsey Dunevant  
Jann Lowder  
Sherrill Smith

**COMMISSIONERS ABSENT:**

None

**STAFF PRESENT:**

Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk to the Board

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, September 21, 2009 at 7:00 P.M. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Commissioner Dunevant gave the devotion.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

A request was made to amend the purpose of the closed session in order to consult with the county attorney in accordance with G.S. 143-318.11(a)(3) rather than for economic development. Commissioner Smith made the motion to approve the agenda as amended and was seconded by Commissioner Dunevant. The motion was passed by unanimous vote.

**ITEM # 1 - RETIREMENT AWARDS PRESENTATION**

The Board took a few moments to recognize and thank Terry L. Blue of the Sheriff's Department for his years of service to the community.

**ITEM # 2 – NC WILDLIFE RESOURCES COMMISSION – GREEN GROWTH TOOLBOX**

**Presenter: Kacy Cook**

Ms. Cook presented a power point presentation regarding the Green Growth Toolbox and explained its use as a resource in designing land use and planning methods to conserve the community's habitats and other natural assets.

The presentation was for information only and required no Board action.

**ITEM # 3 – E-911 COMMUNICATIONS – AMENDMENTS TO THE ROAD NAMING ORDINANCE TO ADDRESS EXTENUATING CIRCUMSTANCES**

**Presenter: Karen McDaniel**

At a Board workshop previously held on July 13, 2009, Karen McDaniel and Carolyn Martin had presented information on the proposed amendments to the road naming ordinance which included: A) Re-wording the named phone companies to local exchange carriers, B) Changing the persons included on the address program committee, C) allowing for extenuating circumstances with the process of naming roads, and D) the addition of the sentence "This shall include all permits for existing structures, change of use including miscellaneous permits" to Section 6. It was now requested the Board conduct the public hearing and either approve or deny the proposed amendments to the ordinance.

**A. Public Hearing**

Chairman Dennis declared the public hearing open. With no one coming forward to speak, the hearing was closed.

**B. Approval / Denial of the Proposed Amendments**

Commissioner Dunevant made the motion to approve the amendments as presented and was seconded by Vice Chairman McIntyre. The motion was passed by a vote of 5 – 0.

**ITEM # 4 – SCUSA TRANSPORTATION**

**Presenter: Gwen Hinson, Director**

Ms. Hinson provided an overview of the SCUSA Transportation System Safety Plan as required by the NC DOT-PTD. The plan was implemented and approved by the PTD in 2004 and was now required to be approved by the Board of Commissioners. The plan covers safety policies, guidelines and rules for all transportation employees as well as policies/procedures from the Stanly County Personnel Resolution, Stanly County Employee Safety Handbook, and the Transportation Departmental Policy and Procedure manual.

Commissioner Smith made the motion to approve the SCUSA Transportation System Safety Plan and was seconded by Vice Chairman McIntyre. The motion passed with a unanimous vote.

**ITEM # 5 – HEALTH DEPARTMENT**

**Presenter: Dennis Joyner, Director**

It was requested the Board establish the fee for the seasonal flu vaccine for the public. After a review of the costs, it was requested the fee be reduced from \$25 to \$20 per vaccination.

Motion to approve the seasonal flu vaccine fee at a cost of \$20 per vaccination was made by Vice Chairman McIntyre and seconded by Commissioner Lowder. The motion passed with a 5 – 0 vote.

**ITEM # 6 – TAX ADMINISTRATION – RESOLUTION TO ADVANCE REAPPRAISAL TO 2013**

**Presenter: Rick Johnson, Director**

Based on the recommendation of the Board of Commissioners' Revaluation Committee through information obtained on housing trends and property values in the county, it was requested the Board approve a resolution to advance the tax reappraisal to 2013 with subsequent reappraisals to be scheduled on a four-year cycle. The Board was also informed that a mandatory revaluation is required every eight years which would coincide with the year 2013.

Motion to approve the resolution was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed with a 5- 0 vote.

Below is the resolution as adopted:

## **RESOLUTION**

### **REGARDING ADVANCING THE TIME FOR GENERAL APPRAISAL OF REAL PROPERTY BOARD OF COMMISSIONERS COUNTY OF STANLY, NORTH CAROLINA**

WHEREAS, pursuant to the unanimous approval by the Stanly County Board of Commissioners on November 20, 2000 to alter the revaluation from the octennial plan to a four-year cycle beginning with the 2005 revaluation; and

WHEREAS, pursuant to North Carolina General Statute 105-286(a)(2), the County may advance the time for a general reappraisal of real property by the adoption of the Board of Commissioners of a resolution so providing; and

WHEREAS, the Board of Commissioners advance the time of the next general reappraisal of real property to January 1, 2013; and

WHEREAS, pursuant to North Carolina General Statute 105-286(a)(2), the Board of Commissioners schedule subsequent general reappraisals of real property to occur every four years thereafter.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS FOR THE COUNTY OF STANLY RESOLVE:

1. The next general reappraisal of real property with the County of Stanly, North Carolina shall be advanced to January 1, 2013, under the provision of North Carolina General Statute 104-286(a)(2) and subsequent reappraisals after 2013 shall be scheduled on a four-year cycle.
2. The Tax Administrator shall promptly forward a copy of this Resolution to the North Carolina Department of Revenue.

3. The Tax Administrator shall promptly forward a copy of the Resolution to each of the taxing units located within the County.

ADOPTED this the 14<sup>th</sup> day of September, 2009.

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Tony M. Dennis, Chairman  
Stanly County Board of Commissioners

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Tyler Brummitt, Clerk to the Board

#### **ITEM # 7 – PROCLAMATION RECOGNIZING NATIONAL 4-H WEEK**

**Presenter: Lori Ivey, Director**

**Casey Hatley, 4-H Youth Member**

Lori Ivey introduced Casey Hatley who provided a brief history on 4-H. It was then requested the Board approve the proclamation recognizing the week of October 4 – 10, 2009 as National 4-H Week in Stanly County.

After the proclamation was read, Vice Chairman McIntyre made the motion to approve the proclamation and was seconded by Commissioner Dunevant. The motion was passed by unanimous vote.

#### **ITEM # 8 – INFORMATION TECHNOLOGY**

**Presenter: Chad Coble, Director**

As part of the implementation of the new VoIP phone system over the next fiscal year, Board approval was requested in order to submit request for proposals to local banks for a five year loan in the amount of \$71,451.77. Proceeds from the loan will be used to begin Phase 1 of the project which includes replacement of the network switches.

Commissioner Smith made the motion to approve the publishing of the request for proposals to local banks and was seconded by Commissioner Dunevant. The motion passed by a vote of 5 – 0.

#### **ITEM # 9 – EDGEWATER SUBDIVISION SEWER PROJECT –BUDGET AMENDMENT # 2010-06**

**Presenter: Andy Lucas, County Manager**

Board approval was requested for budget amendment #2010-06 regarding an agreement made in 2007 with the Town of Norwood to fund \$350,000 toward the Edgewater Subdivision sewer line construction. Staff informed the Board that the funds would be disbursed in payments as progress is made rather than in one lump sum.

Motion to approve the budget amendment was made by Commissioner Lowder. The motion was seconded by Commissioner Smith and passed by unanimous vote.

#### **ITEM # 10 – STANLY COUNTY COMPREHENSIVE RECREATION PLAN**

**Presenter: Andy Lucas, County Manager**

**Professional Services Agreement / Work Order for Alta Planning + Design and approval of Budget Amendment #2010-09**

Stanly County received a planning grant in the amount of \$60,000 from Carolina Thread Trail to be used by the Stanly County Parks, Recreation and Greenways Master Plan. To date a total of \$148,694 has been raised to cover both studies which included \$88,694 from Stanly County and its municipalities and the \$60,000 grant from Carolina Thread Trail. As the next step in the process, Board approval was requested for the work order for Alta Planning + Design in an amount not to exceed \$118,860 for the tasks and expenses specified in the services agreement, and to approve budget amendment #2010-09 to accept these funds.

Commissioner Dunevant made the motion to approve the work order for Alta Planning + Design and budget amendment #2010-09. His motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

**ITEM # 11 – PLANNING & ZONING**

**Presenter: Michael Sandy, Director**

**PUBLIC HEARINGS**

- A. ZA 09-06 TODD SCHAD** – Requested a 24.785 acre tract (portion of tax record # 26949) located at the corner of Ash Road and NC 24/27/73 be rezoned from R-A to G-B (General Business) for the purpose of expanding his commercial business. The Planning Board recommended the request.

Chairman Dennis declared the public hearing open. Ms. Teresa Bundy came forward on behalf of Blessed Hope Ministries Church and asked if rezoning the property would hinder the building of their church in the same area. Mr. Sandy stated the same zoning would apply to the church and would not interfere with the church's construction.

A motion to approve rezoning request ZA 09-06 was made by Commissioner Smith and seconded by Vice Chairman McIntyre. The motion was passed with a 5 – 0 vote.

- B. ZA 09-07 DONALD CHAPMAN** – Requested a 1.01 acre tract (tax record # 8680) located at the corner of Frog Pond Road and NC 24/27 be rezoned from M-1 to H-B (Highway Business) to allow for a change in the use of the existing property in order to operate a flea market. The Planning Board recommended approval of the request.

Chairman Dennis declared the public hearing open. Hearing no comments, the hearing was closed.

Vice Chairman McIntyre made the motion to approve rezoning request ZA 09-07. His motion was seconded by Commissioner Smith and passed by unanimous vote.

**ITEM # 12 – BOARD OF ADJUSTMENT ALTERNATE MEMBER APPOINTMENT**

**Presenter: Michael Sandy, Director**

Commissioner Dunevant made a motion to table this item until the next meeting in order to allow time to receive an application from an individual interested in serving on the Board of Adjustment. His motion was seconded by Vice Chairman McIntyre and passed by a 5 – 0 vote.

**ITEM # 13 – CONSENT AGENDA**

**Presenter: Chairman Dennis**

- A. Minutes – Regular meeting on August 17, 2009
- B. Minutes – Special meeting on September 4, 2009
- C. Tax Administration – Refund request for Betty Lou Efird Crisco in the amount of \$304.42
- D. Resolution Endorsing the Abandoned Manufactured Home Planning Study Abatement Process for Stanly County

**RESOLUTION ENDORSING ABANDONED MANUFACTURED HOME PLANNING STUDY AND ABATEMENT PROCESS FOR STANLY COUNTY**

WHEREAS, it is a priority of this community to protect human health and the environment through safe and effective management of local solid waste including abandoned manufactured housing:

WHEREAS, the reduction of the amount of abandoned and unwanted manufactured housing and recycling the same is a goal of this community:

WHEREAS, manufactured housing was and continues to be an integral part of the affordable and temporary housing equation for the county citizens:

WHEREAS, it is a goal of the community to maintain and improve its physical appearance and to reduce the adverse effects of abandonment of manufactured housing:

WHEREAS, Stanly County recognizes its role in the encouragement of recycling of manufactured home products:

WHEREAS, Stanly County has been home to several manufactured home manufacturers and continues to recognize their role importance in the future:

WHEREAS, the State of North Carolina has placed planning responsibility on local governments for the management of abandoned manufactured homes through HB 1134:

WHEREAS, NC General Statute 130A-309.99A provides authority, funding and guidance needed to identify, deconstruct, recycle, and dispose of abandoned manufactured housing in the county:

WHEREAS, the Stanly County Planning Department shall initiate and complete a planning effort to evaluate the amount and impact of Abandoned Manufactured Housing in the county and implement a remove and recycle program:

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF STANLY COUNTY:

That Stanly County's Abandoned Manufactured Home plan is accepted and endorsed and placed on file with the Clerk to the Board on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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ATTEST:

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Clerk

- E.** Sheriff's Department – Budget Amendment # 2010-04 to allow for receipt of funds from FBI in the amount of \$1,390
- F.** Sheriff's Department – Budget Amendment # 2010-05 to allow for receipt of funds from the Bureau of Justice Assistance grant in the amount of \$24,253
- G.** Library – Request the attached list of books be declared surplus and sold in an ongoing book sale at the five branch libraries
- H.** Tax Release & Discovery Report for August 2009
- I.** 2010 Census Partner Proclamation
- J.** Agri-Civic Center – Request approval of budget amendment # 2010-07 to accept a donation into the budget
- K.** Sheriff's Department – Budget Amendment # 2010-10 to allow for receipt of funds from the Bureau of Justice grant in the amount of \$4,249
- L.** Utilities – Request approval of the Water Storage Tank Mixers Project Ordinance and Budget Amendment # 2010-08 to create Fund #654 for the Project.

Motion to approve the consent agenda as presented was made by Commissioner Lowder and seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

#### **PUBLIC COMMENT**

None

#### **GENERAL COMMENTS**

Commissioner Dunevant stated the citizens of the county had been well represented recently at the NCACC meetings where one of the key topics discussed was sustainability in the current economy. Secondly, Commissioner Dunevant stated the county's support of the filing earlier that day by Governor Bev Perdue's office in Washington DC with the Federal Energy Regulatory Commission (FERC) to request the license for the Yadkin Project be provided to the State of NC. He expressed his thanks to the Governor and her staff for all their hard work at the state level.

Commissioner Smith informed everyone that the Land Use Plan Committee had met that afternoon and encouraged anyone with questions to contact members of the Board, county staff, or to participate in the meetings as the process continues.

Chairman Dennis echoed Commissioner Dunevant's comments regarding Governor Perdue and her office staff and thanked them for their support.

Vice Chairman McIntyre, Commissioner Lowder, the County Manager, and County Attorney had no comments.

#### **CLOSED SESSION**

Vice Chairman McIntyre made the motion to recess to closed session to consult with the county attorney in accordance with G.S. 143-318.11(a)(3). His motion was seconded by Commissioner Dunevant and passed with a 5 – 0 vote.

**ADJOURN**

There being no further business brought forward, Commissioner Smith made the motion to adjourn the meeting until Monday, October 5, 2009 at 7:00 p.m. The motion was seconded by Commissioner Dunevant and passed by unanimous vote at 8:15 p.m.

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Tony M. Dennis, Chairman

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Tyler Brummitt, Clerk